

NOTICE OF OBJECTION TO CONFIRMATION

DITECH FINANCIAL LLC has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:
**Clerk
U.S. Bankruptcy Court
401 Market Street, 2nd Floor
Camden, NJ 08101**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054

Isabel C. Balboa, Trustee
Cherry Tree Corporate Center
535 Route 38 - Suite 580
Cherry Hill, NJ 08002

2. Attend the hearing scheduled to be held on 06/06/2018 in the CAMDEN Bankruptcy Court, at the following address:
**U.S. Bankruptcy Court
401 Market Street, 2nd Floor
Camden, NJ 08101**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: March 20, 2018

/s/ Sherri J. Braunstein
Sherri J. Braunstein, Esq.
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
Tel: 856-813-5500 Ext. 47923
Fax: 856-813-5501
Email: sherri.Braunstein@phelanhallinan.com

File No. 796483

Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road
Mt. Laurel, NJ 08054
856-813-5500
FAX Number 856-813-5501
DITECH FINANCIAL LLC

In Re:
Henry J. Strehle, III A/K/A
Henry J Strehle

Debtors

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

Chapter 13

Case No. 17-23898 - JNP
Hearing Date: 06/06/2018

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, DITECH FINANCIAL LLC, the holder of a Mortgage on debtors residence located at 533 NORTH 4TH STREET, MILLVILLE, NJ 08332-2703 hereby objects to the Confirmation of the debtors proposed Chapter 13 Plan on the following grounds:

1. On September 25, 2017, Movant filed a Proof of Claim listing pre-petition arrears in the amount of \$63,764.97.
2. The Debtor's proposed Chapter 13 Plan lists Movant under Part 4, Section D and Part 7, Section C. Debtor is attempting to cram down Movant's secured lien by listing the total collateral value as \$24,000.00.
3. Movant objects to this treatment of its claim and the proposed valuation of the property under 11 U.S.C. §506., as it takes the position that the subject property value far exceeds that amount being claimed by the Debtor. Additionally, Movant objects to the proposed interest rate to be paid through the Chapter 13 cramdown, as the rate of 5.00% is below that of the subject note.
4. Movant requests the opportunity to conduct an appraisal of the subject property and have a Valuation Hearing scheduled, if needed.
5. Additionally, the Movant holds a mortgage to the subject property that includes an assignment of rents clause. It is Movant's position that it is entitled to activate said clause and assume all leases and receive all rents due and owed to Debtor by tenants. Debtor would not have access to this income to fund the proposed Plan and it is Movant's position that the Plan is not feasible as the income is not present to cram down and pay off Movant's lien over a period of sixty (60) months; even at the Debtor's claimed value of \$24,000.00.

6. Movant requests that the confirmation of Debtor's Chapter 13 Plan be denied in its entirety.

WHEREFORE, DITECH FINANCIAL LLC respectfully requests that the Confirmation of Debtors Plan be denied.

/s/ Sherri J. Braunstein

Sherri J. Braunstein, Esq.

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054

Tel: 856-813-5500 Ext. 47923

Fax: 856-813-5501

Email: sherri.Braunstein@phelanhallinan.com

Dated: March 20, 2018

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

796483
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
856-813-5500
Attorneys for DITECH FINANCIAL LLC

In Re:

Henry J. Strehle, III A/K/A
Henry J Strehle

Case No: 17-23898 - JNP

Hearing Date: _____

Judge: JERROLD N. POSLUSNY
JR.

Chapter: 13

CERTIFICATION OF SERVICE

1. I, MIGUEL ZAVALA:

☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC,
who represents DITECH FINANCIAL LLC in the above captioned matter.

☐ am the _____ in the above case and am representing
myself.

2. On March 29, 2018 I sent a copy of the following pleadings and/or
documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent
using the mode of service indicated.

Dated: March 29, 2018

/s/ MIGUEL ZAVALA
MIGUEL ZAVALA

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Henry J. Strehle, III 43 New Street Bridgeton, NJ 08302	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Donna L. Strehle 533 North 4 th Street Milleville, NJ 08332	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Seymour Wasserstrum, Esquire 205 West Landis Avenue Vineland, NJ 08360	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Isabel C. Balboa, Trustee Cherry Tree Corporate Center 535 Route 38 - Suite 580 Cherry Hill, NJ 08002	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.